IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 18TH OCTOBER 2007 / 26TH ASWINA 1929

WP(C).No. 30889 of 2007(B)

PETITIONERS:

---

1. THE TRICHUR KODUNGALLOOR LIMITED STOP
   BUS OPERATORS WELFARE SYNDICATE, XI/829,
   NANDAN BROTHERS BUILDING,NEAR SAKTHAN THAMPURAN
   BUS STAND,VELIYANNOOR P.O., THRISSUR DIST.-680021,
   REP.BY ITS GENERAL SECRETARY, JOSE KUZHUPPIL.

2. JOSE KUZHUPPIL, AGED 56,
   S/O. THOMAS, KUZHUPPIL HOUSE, PEECHI P.O.,THRISSUR

BY ADV. SRI.P.GOPALAKRISHNA MENON
SRI.M.JITHESH MENON

RESPONDENTS:

---

1. THE STATE OF KERALA,
   REPRESENTED BY ITS CHIEF SECRETARY,
   GOVERNMENT SECRETARIAT, TRIVANDRUM.

2. THE REGIONAL TRANSPORT OFFICER
   (TAXATION OFFICER), TRICHUR.

3. THE REGIONAL TRANSPORT OFFICER
   (TAXATION OFFICER), PALAKKAD.

BY GOVT. PLEADER MR. K.P. PRADEEP.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

= = = = = = = = = = = = = = = = =
W.P.(C) No. 30889 OF 2007 B
= = = = = = = = = = = = = = = = =

Dated this the 18th October, 2007

J U D G M E N T

The issue raised in this writ petition is regarding the validity of Section 4(7) and (8) introduced through the Motor Vehicle Taxation (Amendment) Act, 2005. The challenge to these provisions has already been upheld by a Division Bench of this Court in ***K.M. Siraj v. The Regional Transport Officer & another*** {**2007 (2) KLJ 817**}. In view of this, the question raised by the petitioner is fully covered by that judgment. Therefore this writ petition is disposed of declaring that the petitioners herein will also be entitled to the benefits granted by the Division Bench in the aforesaid judgment.

ANTONY DOMINIC
JUDGE

jan/-